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US Dept. of Commerce Pat. &amp; Trademark Office

Attorney's Docket No.

23374

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 USC 371

US. Application No. (if known)

10/547444

INTERNATIONAL APP. NO.

PCT/DE2004/000149

INTERNATIONAL FILING DATE

30 January 2004

PRIORITY DATE CLAIMED

28 February 2003

TITLE OF INVENTION

METHOD AND DEVICE FOR SELECTIVELY DETECTING FERROMAGNETIC OR...

APPLICANT(S) FOR DO/EO/US

Peter MIETHE et al

Applicant herewith submits to the United States Designated/Elected Office (DO/EU/US) the following .

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 USC 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 USC 371.
3. ☐ This is an express request to begin national examination procedures (35 USC 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 USC 317(b) and PCT Articles 22 and 39(1).
4. ☐ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 USC 371(c)(2)).
  - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau.
  - b. ☐ has been transmitted by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Patent Office.
6. ☒ A translation of the International application into English.
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 USC 371(c)(3)).
  - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau.
  - b. ☐ have been transmitted by the International Bureau.
  - c. ☐ have not been made; however the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 USC 371(c)(3).
9. ☐ An oath or declaration of the inventor(s) (35 USC 371(c)(4).
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 USC 371(c)(5)).

Items 11. to 16. below concern documents or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An Assignment for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.
- ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items of information.

Drawing (8 sheets)

References

PTO-1449

US Application No (if known) <b>10/547444</b>	International Application no. <b>PCT/DE2004/000149</b>	Attorney's Docket No. <b>23374</b>
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17. The following fees are submitted:

Basic National Fee (37 CFR 1.492(a)(1)-(5):

Search report has been prepared by the EPO or JP ..... \$950.00

Int'l prel. exam. fee paid to USPTO (37 CFR 1.482) ..... \$750.00

No int'l prel. exam. fee paid to USPTO (37 CFR 1.482)  
but int'l search fee paid to USPTO (37 CFR 1.445(a)(2)) ..... \$790.00

Neither int'l prel. exam fee (37 CFR 1.482) nor  
int'l search fee (37 CFR 1.455(a)(2)) paid to USPTO ..... \$1000.00

Intl. prel. exam. fee paid to USPTO (37 CFR 1.482)  
and all claims satisfied provisions of PCT Art. 33(2-4) ..... \$200.00

ENTER APPROPRIATE BASIC FEE AMOUNT

Surcharge of \$130.00 for furnishing oath or declaration later than ☐ 20 ☐ 30  
months from the earliest claimed priority date (37 CFR 1.492(e)).

CLAIMS	NO. FILED	NO. EXTRA	RATE		
Total claims	27	7	\$50	<b>\$350</b>	
Ind. claims	0	0	\$200	<b>\$0</b>	
MULTIPLE DEP. CLAIM(S) (if applicable) (see prel. amt.)			360		
TOTAL OF ABOVE CALCULATIONS				<b>\$1,350</b>	
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (37 CFR 1.2, 1.27, 1.28)				<b>\$0</b>	
SUBTOTAL				<b>\$1,350</b>	
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).					
TOTAL NATIONAL FEE				<b>\$1,350</b>	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The Assignment may be accompanied by an appropriate PTO-1595 cover sheet (37 CFR 3.28, 3.39)					
TOTAL FEES ENCLOSED					
				Amt to be refunded	
				Amt to be charged	

**CALCULATIONS PTO USE ONLY**

**JC17 Rec'd PCT/PTO 26 AUG 2005**

a. ☐ A check in the amount of \$ to cover the above fees is enclosed

b. ☐ Please charge my deposit account 18-2025 \$ to cover the above fees. A copy of this sheet is enclosed.

c. ☒ Please charge the amount due to the credit card identified in the attached PTO-2038.

d. ☒ The commissioner is authorized to charge any additional fees which may be required or credit any overpayment to deposit  
account 18-2025. A copy of this sheet is enclosed

e. A PTO-2038 in the amount of \$ to cover recordal of the Assignment is enclosed

**NOTE:** Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive  
(37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

Send all correspondence to:

**The Firm of Karl F. Ross P.C.**  
**5676 Riverdale Ave. Box 900**  
**Riverdale (Bronx), NY 10471**

Herbert Dubne, Reg. No. 19,752

JC17 Rec'd PCT/PTO 26 AUG 2005

23374

10/547444

Certificate of Express or First-Class Mailing  
I hereby certify that I have deposited this correspondence with the US Postal Service as first-class or, if a mailing-label number is given below, as express mail addressed to Comm. of Patents, Box 1450, Alexandria, VA 22313-1450  
on **AUG 26 2005**

IN THE U.S. PATENT AND TRADEMARK OFFICE

**EV701300337**

Inventor Peter MIETHE et al  
Patent App. Not known (US Nat'l phase of  
PCT/DE2004/000149)  
Filed Concurrently herewith  
For METHOD AND DEVICE FOR SELECTIVELY DETECTING  
FERROMAGNETIC ...

Hon. Commissioner of Patents  
Box 1450 Alexandria, VA 22313-1450

**RECORD OF TRANSMITTAL--PCT APPLICATION**

<input checked="" type="checkbox"/>	PCT Transmittal	
<input checked="" type="checkbox"/>	PCT Application	
<input checked="" type="checkbox"/>	Translation	
<input checked="" type="checkbox"/>	Sheets of Drawing (8)	
<input type="checkbox"/>	PCT Declaration	
<input checked="" type="checkbox"/>	PCT Documents	
<input checked="" type="checkbox"/>	International Search Report	
<input checked="" type="checkbox"/>	Preliminary Amendment	
<input type="checkbox"/>	Assignment	
<input checked="" type="checkbox"/>	Reference(s) with PTO-1449	
<input checked="" type="checkbox"/>	PTO-2038 for Official Fees	
<input checked="" type="checkbox"/>	Basic Fee (Large Entity)	\$1000.00
<input type="checkbox"/>	Ind. claims in excess of 3	\$00.00
<input checked="" type="checkbox"/>	7 claims in excess of 20	\$350.00
	<b>Total</b>	<b>\$1350.00</b>

Please charge any fees not covered by an enclosed PTO-2038 to account 18-2025 of the undersigned.

26 August 2005

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Bronx, NY 10471-0900  
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rg

Respectfully submitted,  
The Firm of Karl F. Ross P.C.

  
Herbert Dubno, Reg. 19,752